

REMARKS/ARGUMENTS

Entry of this response and reconsideration and allowance of the above-identified patent application are respectfully requested. A Request for Continued Examination (RCE) is being filed concurrently with the present response.

Please note that an information disclosure statement (IDS) has been filed concurrently with the present response. The Examiner is respectfully requested to consider and initial the cited references.

Claims 1-7, 9-25 and 27-39, and 49-52 are pending. By this amendment, claims 1, and 49-51 are amended. No claims have been added or canceled. No new matter is added.

Applicant respectfully submits that, upon entry of the subject amendment, the application will be in condition for allowance. Applicant, thus, respectfully requests consideration of the above amendment and following remarks.

In the response previously filed on January 18, 2006 Applicant amended drawings in response to the previous office action. Specifically, a proposed drawing change was submitted for Figure 3 to show item number 308. While the Office Action does not acknowledge the revised drawing, the Examiner indicated during a telephone call with Applicant's representative that the drawing was acceptable. Applicant respectfully requests acknowledgement that the drawings are accepted.

Claims 1-7 and 9-24 were objected to because of a formality. Claims 49-52 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2005/0076149 to McKown et al. ("McKown"). Claims 1-7, 9-25 and 27-39 are allowed.

Applicant would like to thank the Examiner for allowance of claims 1-7, 9-25 and 27-39.

Applicant would like to thank Examiner Le for conducting an interview with Applicant's representative. Applicant's representative and Examiner Le discussed the prior art in comparison with claim 49. The interview was helpful in facilitating and progressing the prosecution of the present application.

The present invention is directed to a device which facilitates communications using an antenna at a pad mounted distribution transformer. In one embodiment, the device is coupled to a power line communication system for communicating a data signal. The antenna is located external to the enclosure of the pad mounted transformer. A power line communication device typically is located inside the enclosure of the distribution transformer. A wireless data signal may be received at the antenna. The incoming signal is coupled from the antenna to the power line communication device. In turn the power line communication device may couple the data to a power line of the power line communication system. For a transmission, a data signal may be received via a power line by the power line communication device. The power line communication device may then provide the data to the antenna for transmission.

Claim 1 has been amended to overcome the objection stated in the office action. Consequently, 1-7 and 9-24 are now in condition for allowance along with claims 25 and 27-39, which were allowed in the previous office action.

Claims 49-52 stand rejected as being anticipated by McKown. McKown discloses communication device that communicates over low voltage power lines and wirelessly. The office action relies on Figure 3 of McKown for the rejection of claim 49.

Claim 49 has been amended to further clarify that the communication device includes a modem coupled to the power line and a transceiver coupled to the antenna. Claim 49 also has been amended to further indicate that the enclosure is at or below ground level. Claim 50 has been amended because some of the limitations of claim 50 have been added to claim 49. Claim 51 has been amended to be directly dependent from claim 49.

Claim 49 claims a "system for communicating a data signal at a transformer enclosure of a pad mounted distribution transformer." As is known in the art, a pad mounted transformer is a term used to connote a transformer that is located at ground level or can be below ground level and is sometimes mounted to a cement pad or the like.

The location of the transformer gives rise to a number of distinctions. Specifically, a pad mounted transformer could be “accessed” by the general public (e.g., someone who may be walking by). To prevent unauthorized persons from touching the energized conductors of the transformer, pad mounted transformers are housed in an enclosure. Utility personnel must open the enclosure to gain access to the transformer. In contrast, transformers at or near the top of the pole cannot be readily accessed by the general public and therefore typically do not require a transformer enclosure of the same nature as the pad mounted transformer.

In the embodiment shown in Figure 3 of McKown, the communication device (ABM-WMAN-PL 200) is “near the top of utility pole 204 and near distribution transformer 110.” Para. 16. Further, it is readily apparent from Figure 3 that the communication device (ABM-WMAN-PL 200) is not in an enclosure of the transformer 110.

Thus, McKown fails to disclose placing a communication device in the transformer enclosure and further coupled to an antenna external to the enclosure. As discussed, placing the communication device within the enclosure typically affords the communication device protection from unauthorized access and/or the environment.

Applicant therefore respectfully submits that independent claim 49 is patentable over McKown. In addition, because a claim that is dependent from a patentably distinct claim is also patentably distinct, Applicant respectfully requests allowance of claims 50-52, which depend from claim 49.

In view of the foregoing, it is respectfully submitted that the claimed invention is patentably distinguished over the asserted prior art references and that the application stands in condition for allowance. It is respectfully requested that the application be reconsidered, that all pending claims be allowed, and that the application be passed to issue.

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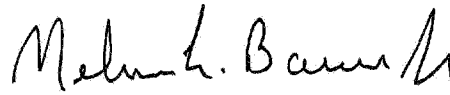
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CONCLUSION

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact Mel Barnes at (301) 581-0081, to discuss any other changes deemed necessary in a telephonic interview.

Authorization is hereby granted to charge any deficiencies in fees, including any fees for extension of time under 37 C.F.R. §1.136(a), to Deposit Account 50-0687. Please credit any overpayment in fees to the same deposit account.

Date: June 6, 2006



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